

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed August 1, 2006. At the time of the Office Action, Claims 1-10 were pending in this Application. Claims 1-10 were rejected. Claims 1, 4, 6, 9, and 10 have been amended to further define various features of Applicants' invention. Claims 3 and 7 have been cancelled without prejudice. Applicants respectfully request reconsideration and favorable action in this case.

PTO Form 892

Applicants respectfully submit that certain claims were rejected as being unpatentable over or anticipated by U.S. Patent 6,975,613 issued to Per Johansson and Alex Krister Raith et al., however, these references were not identified on a PTO-Form 892 attached to the Office Action mailed August 1, 2006, nor were they a reference submitted by Applicants on a PTO-Form 1449. Applicants respectfully request that these references be listed on a PTO-Form 892 in the next action.

Rejections under 35 U.S.C. § 112

Claim 3 was rejected by the Examiner under 35 U.S.C. §112, second paragraph, as being indefinite and failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants canceled Claim 3 without prejudice.

Rejections under 35 U.S.C. § 102

Claims 1-2, 4, 6-7, and 9 were rejected by the Examiner under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 6,975,613 issued to Per Johansson ("Johansson"). Applicants respectfully traverse and submit the cited art does not teach all of the elements of the claimed embodiment of the invention.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Furthermore, “the identical invention must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co. Ltd.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Applicants respectfully submit that the cited art as anticipated by the Examiner cannot anticipate the rejected Claims, because the cited art does not show all the elements of the present Claims.

The Examiner stated that dependent claim 3, in particular, the limitation of dependent claim 3 that “*a time response is carried out such that an operating mode of the slave station with reduced activity is identified, and the number of data bursts sent by the master station to the slave station in an active time interval for the slave station is then increased*” is disclosed in Johansson. Applicants respectfully disagree. The Examiner particularly stated that Johansson discloses this limitation in Column 7, Lines 10-41.

The respective paragraphs read:

“FIG. 4 is a schematic depiction of a scatternet scheduler 410 in accordance with aspects of the present invention. Scatternet scheduler 410 may be implemented in suitable digital logic circuits in a Bluetooth node. Scatternet scheduler 410 includes two components: a master-slave scheduler 420, which is actived only in master nodes, and a piconet scheduler 430, which is actived in both master nodes and slave nodes. The block diagram in FIG. 4 provides an overview of a scatternet scheduler 410 for a Bluetooth node that acts as the master node in one piconet, referred to as P1, and a slave node in adjacent piconets P2-Pnj. Master-slave scheduler 420 is responsible for scheduling the downlink slaves (S1 . . . Sni) in P1 during time periods when the Bluetooth node acts as a master in piconet P1. Stated otherwise, the master-slave scheduler 420 is responsible for intra-piconet scheduling. Piconet Scheduler 430 is responsible for determining the time periods during which the

Bluetooth node is active as a master in Piconet P1 and when the Bluetooth node is active as a slave in one or more of piconets P2-Pnj. Stated otherwise, piconet scheduler 430 is responsible for intra-piconet scheduling. [0054] In an exemplary embodiment, piconet scheduler works on absolute timing, i.e., by identifying what time slot to invoke a certain slave or master, determining for how much time (or how many time slots or frames) the respective slave or master will have access to the radio interface, and scheduling the next interval during which they will become active. During the time period between active periods, the master-slave pair may put themselves in a power save mode, e.g., HOLD or SNIFF. By contrast, the master-slave scheduler works on a relative timer according to a suitable intra-piconet scheduling algorithm.

In this citation, Johansson discloses the use of a piconet scheduler, which merely determines the time slots available during a specific operating mode and scheduling the next available time slot. Thus, the master-slave pair can deactivate themselves during the inactive time periods, for example in a sniff mode. However, Johansson is completely silent with respect to the amount of data to be transferred during different operating modes. As shown in Fig. 3a and 3b the amount of data transfer per active time slot is identical during a standard operating mode and a “sniff” mode. However, according to the independent claims, for example, the number of data bursts is increased when the slave unit is in a “sniff” mode. Johansson neither explicitly mentions nor suggests to change anything in the transfer protocols of the master-slave unit. It merely allows the master and slave units to enter energy saving modes during the time when no activity is present.

The remaining independent claims have been amended accordingly. Thus, Johansson does not anticipate the amended independent claims. Applicants respectfully submit that the dependent Claims are allowable at least to the extent of the independent Claim to which they refer, respectively. Thus, Applicants respectfully request reconsideration and allowance of the dependent Claims. Applicants reserve the right to make further arguments regarding the

Examiner's rejections under 35 U.S.C. §102, if necessary, and do not concede that the Examiner's proposed combinations are proper.

Rejections under 35 U.S.C. §103

Claims 8 and 7 were rejected under 35 U.S.C. §103(a) as being unpatentable over Johansson in view of U.S. Patent 5,806,007 issued to Alex Krister Raith et al. ("Raith"). Applicants respectfully traverse and submit the cited art combinations, even if proper, which Applicants do not concede, does not render the claimed embodiment of the invention obvious.

Claims 5 and 10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Johansson in view of U.S. Patent Application Publication 2003/0177187 filed by David A. Levine et al. ("Levine"). Applicants respectfully traverse and submit the cited art combinations, even if proper, which Applicants do not concede, does not render the claimed embodiment of the invention obvious.

Independent claim 10 has been amended according to independent claim 1. Thus, the same arguments as presented with respect to independent claim 1 also apply to claim 10. Applicants respectfully submit that the dependent Claims 5, 7, 8 are allowable at least to the extent of the independent Claim to which they refer, respectively. Thus, Applicants respectfully request reconsideration and allowance of the dependent Claims. Applicants reserve the right to make further arguments regarding the Examiner's rejections under 35 U.S.C. §103(a), if necessary, and do not concede that the Examiner's proposed combinations are proper.

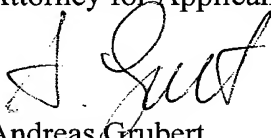
CONCLUSION

Applicants have made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicants respectfully request reconsideration of the pending claims.

Applicants believe there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2545.

Respectfully submitted,
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